



STATE OF NEW JERSEY
CIVIL SERVICE COMMISSION

Philip D. Murphy
Governor
Sheila Y. Oliver
Lt. Governor

Deirdré L. Webster Cobb
Chairperson

**MINUTES OF REGULAR MEETING OF
THE CIVIL SERVICE COMMISSION
JULY 21, 2021**

**Deirdré L. Webster Cobb, Chairperson
Dolores Gorczyca
Daniel W. O'Mullan
Diomedes Tsitouras**

JULY 21, 2021

A regular meeting of the Civil Service Commission was held on Wednesday, July 21, 2021, at 10:00 a.m., in Trenton, New Jersey.

PRESENT: Deirdré L. Webster Cobb, Chairperson, Members Dolores Gorczyca, Daniel W. O'Mullan and Diomedes Tsitouras; Pamela Ullman, Deputy Attorney General; Allison Chris Myers, Director, Division of Appeals and Regulatory Affairs. All individuals listed participated via teleconference.

In accordance with L.1975, c.231, the Secretary to the Civil Service Commission opened the meeting with the following statement:

Notice of this meeting was filed with the Secretary of State and sent to the Trentonian, Trenton Times, Courier-Post and Star Ledger on December 2, 2020, and posted at the Civil Service Commission, 3 Station Plaza, Trenton, New Jersey.

All actions were by unanimous vote unless otherwise specified.

CIVIL SERVICE COMMISSION MINUTES

Submitted for adoption are the Civil Service Commission minutes of its meeting of June 30, 2021.

ACTION: The Civil Service Commission adopted the minutes of its meeting of June 30, 2021.

WITHDRAWAL OF APPEALS

The following appeals were withdrawn and removed from the hearing calendar:

Jennifer Fox, Senior Public Safety Telecommunicator, Gloucester County, Department of Emergency Response, suspension.

Christopher Morkis, Plumber, City of Linden, Department of Public Property and Community Services, suspension.

Aiyana Robinson, Judiciary Clerk 2, Judiciary – Essex Vicinage, removal.

ACTION: The Civil Service Commission noted the withdrawal of appeals without prejudice.

SECTION A – HEARING MATTERS

A-1 SETTLEMENTS

Terrance Bailey
City of Trenton
Department of Public Works
Removal

Matthew Cerullo
Bergen County
Department of Human Services
Removal

Michael Cucciniello
Township of South Orange Village
Police Department
Removal

Jason Gaskill
Department of Environmental Protection
Return to previous title at the end of the working test period

Joseph Gies
Camden County
Department of Corrections
Release at the end of the working test period

Arif Sharaf
Atlantic County
Department of Administrator
Suspension

ACTION: The Civil Service Commission acknowledged the settlements.

**A-2 VICTORIA ALBERTO, *ET AL.* – CSC DOCKET NOS. 2017-3992, *ET AL.*
(CONSOLIDATED)**

Victoria Alberto, *et al.*, Bergen County Police Officers (various levels), Bergen County Sheriff's Office, layoffs effective June 26, 2017, for reasons of economy or efficiency.

Recommendation of the Administrative Law Judge – Uphold the layoffs.

ACTION: The Civil Service Commission affirmed the recommendation of the Administrative Law Judge.

**A-3 MARCELLO ERRIGO AND JAMES WESTON – CSC DOCKET NOS.
2018-2495 and 2018-2512 (CONSOLIDATED)**

Marcello Errigo and James Weston, Sheriff's Officers, Passaic County Sheriff's Department, appeals of the bypass and removal of their names from the eligible list for Sheriff's Officer Sergeant (PC1572S) due to unsatisfactory employment records.

Recommendation of the Administrative Law Judge – Uphold the bypass and removal of Marcello Errigo from the list and reverse the bypass and removal of James Weston from the list.

ACTION: The Civil Service Commission affirmed the bypass and removal of Marcello Errigo from the list and reversed the removal of James Weston, but upheld his bypass from the list.

A-4 CHRISTOPHER FERRO – CSC DOCKET NO. 2020-518

Christopher Ferro, County Correctional Police Officer, Bergen County Sheriff's Office, removal effective January 11, 2019, on charges including various violations of Bergen County Sheriff's Office rules and regulations.

Recommendation of the Administrative Law Judge – Reverse the removal.

ACTION: The Civil Service Commission directed that this matter be remanded back to the Office of Administrative Law.

A-5 KEVIN GONZALEZ – CSC DOCKET NO. 2020-705 (ON REMAND)

Kevin Gonzalez, Senior Correctional Police Officer, Northern State Prison, Department of Corrections, removal effective August 19, 2019, on charges of conduct unbecoming a public employee, neglect of duty and other sufficient cause.

Recommendation of the Administrative Law Judge – Reverse the removal.

ACTION: The Civil Service Commission rejected the recommendation of the Administrative Law Judge to reverse the removal and imposed a 90 working day suspension.

A-6 VICTOR VAZQUEZ, ET AL. - CSC DOCKET NOS. 2018-2793, ET AL. (CONSOLIDATED)

Victor Vazquez, Mark Gutierrez and Rocco Duardo, Police Officers, and Justin de la Bruyere, Police Sergeant, City of Hackensack, Police Department, removals effective July 20, 2017, on charges of incompetency, inefficiency or failure to perform duties, inability to perform duties and other sufficient cause.

Recommendation of the Administrative Law Judge – Reverse the removals.

ACTION: The Civil Service Commission affirmed the recommendation of the Administrative Law Judge.

VOTE:

Deirdrè L. Webster Cobb	(Yes)
Dolores Gorczyca	(Yes)
Daniel W. O'Mullan	(No)
Diomedes Tsitouras	(Yes)

SECTION B – MISCELLANEOUS MATTERS

B-1 CHILD CARE QUALITY ASSURANCE INSPECTOR APPRENTICE – CSC DOCKET NO. 2021-1927

The Division of Agency Services requests the creation of the non-competitive title of Child Care Quality Assurance Inspector Apprentice.

ACTION: The Civil Service Commission directed that this request be granted.

B-2 SHEYNA CORBO – CSC DOCKET NO. 2021-1614

Sheyna Corbo appeals the decision to remove her name from the Police Officer (S9999A), Elizabeth eligible list on the basis of falsification.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-3 NETU JAMES – CSC DOCKET NO. 2021-1112

Netu James appeals the removal of his name from the eligible list for Fire Fighter (M1566T), Plainfield on the basis of his age.

ACTION: The Civil Service Commission directed that this appeal be granted in part.

B-4 LARRY JORDAN – CSC DOCKET NO. 2021-1458

Larry Jordan appeals the decision to remove his name from the Juvenile Detention Officer (Special), Cumberland County eligible list on the basis of an unsatisfactory background report.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-5 IGNACIO RAMIREZ – CSC DOCKET NO. 2021-1558

Ignacio Ramirez appeals the decision to remove his name from the Correctional Police Officer (S9999A), Department of Corrections eligible list on the basis of an unsatisfactory driving record and unsatisfactory employment record.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-6 JASON SUTTERLIN – CSC DOCKET NO. 2021-1376

Jason Sutterlin appeals the decision to remove his name from the Parole Officer Recruit (S1000A), State Parole Board eligible list on the basis of falsification.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-7 T.W. – CSC DOCKET NO. 2021-1320

T.W. appeals the decision to remove his name from the Parole Officer Recruit (S1000A), State Parole Board eligible list on the basis of an unsatisfactory employment record.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-8 LAURIE KELLY – CSC DOCKET NO. 2021-1442

Laurie Kelly appeals the decision of the Division of Agency Services which found that her position with Point Pleasant Borough is properly classified as Clerk 2. The appellant seeks a Technical Assistant to the Construction Official job classification.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-9 LATIFAH NAPIER – CSC DOCKET NO. 2021-1651

Latifah Napier appeals the decision of the Division of Agency Services which found that her position with the Department of Human Services is properly classified as Agency Services Representative 2. The appellant seeks an Agency Services Representative 3 or Principal Clerk Typist job classification.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-10 MARIA BORRANI – CSC DOCKET NO. 2021-1642

Maria Borrani appeals the determination of the Division of Agency Services which found that she was below the minimum requirements in experience for the qualifying examination for Senior Clerk Transcriber, Woodbridge Township.

ACTION: The Civil Service Commission directed that this appeal be granted.

B-11 BRIAN CARUSO – CSC DOCKET NO. 2021-1847

Brian Caruso appeals the determination of the Division of Agency Services which found that he did not meet the minimum requirements in experience for the promotional examination for the dual title Sewer Repairer 1/Water Repairer 1 (PM2850B), Freehold Township.

ACTION: The Civil Service Commission directed that this appeal be granted.

B-12 LOUIS CRAMMER – CSC DOCKET NO. 2021-1598

Louis Crammer appeals the determination of the Division of Agency Services that he did not meet the experience requirements for the promotional examination for Supply Support Technician 2 (PS3354T), Department of Transportation.

ACTION: The Civil Service Commission directed that this appeal be granted.

VOTE: **Deirdrè L. Webster Cobb** **(Yes)**
 Dolores Gorczyca **(Recuse)**
 Daniel W. O'Mullan **(Yes)**
 Diomedes Tsitouras **(Yes)**

B-13 STEVEN ERRICKSON – CSC DOCKET NO. 2021-1359

Steven Errickson appeals the determination of the Division of Agency Services which found that he did not meet the experience requirements for the promotional examination for Building Services Coordinator 1 (PS2782U), Department of the Treasury.

ACTION: The Civil Service Commission directed that this appeal be granted.

B-14 RASHAD MAXWELL – CSC DOCKET NO. 2021-1562

Rashad Maxwell appeals the decision of the Division of Agency Services which found that he did not meet the experience requirements for the promotional examination for Principal Custodian (PM2141B), Jersey City School District.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-15 JEAN PETERSON – CSC DOCKET NO. 2021-1760

Jean Peterson appeals the decision of the Division of Agency Services that found that she did not meet the experience requirements for the promotional examination for Network Administrator 1 (PS3471H), Department of Health.

ACTION: The Civil Service Commission directed that this appeal be granted.

B-16 PATRICIA REEVEY – CSC DOCKET NO. 2021-1735

Patricia Reevey appeals the determination of the Division of Agency Services which found that she did not meet the educational requirements for the open competitive examination for Assistant Municipal Treasurer (M0574B), Lacey Township.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-17 PETER DWYER AND WILLIAM HOFERER – CSC DOCKET NOS. 2021-1477 AND 2021-1565

The Division of Agency Services, on behalf of Morristown, requests that Peter Dwyer and William Hoferer be provided with retroactive regular appointments to the title of Fire Fighter, effective August 21, 2017, and that they be considered eligible for the examination for Fire Captain (PM2336C), Morristown.

ACTION: The Civil Service Commission directed that these appeals be granted.

B-18 ANITA WAGNER – CSC DOCKET NO. 2021-1492

Anita Wagner appeals the determination of the Division of Agency Services which found that she did not meet the experience requirements for the promotional examination for Administrative Assistant 3 (PC2218B), Atlantic County.

ACTION: The Civil Service Commission directed that this appeal be granted.

B-19 JUDITH WOOLLEY – CSC DOCKET NO. 2021-1560

Judith Woolley appeals the decision of the Division of Agency Services which found that she did not meet the education and experience requirements for the open-competitive examination for the dual title Assistant Municipal Tax Collector/Assistant Municipal Treasurer (M0350B), South Toms River.

ACTION: The Civil Service Commission directed that this appeal be denied, and the matter of the appellant's position classification be referred to Agency Services for review.

B-20 TYIECE MOWATT – CSC DOCKET NO. 2021-1849

Tyiece Mowatt appeals her score and rank on the Instructor Counselor (S0880W), Statewide eligible list.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-21 WILLIAM NIELSEN – CSC DOCKET NO. 2021-89

William Nielsen, a County Correctional Police Officer with the Cape May County Sheriff's Department, represented by Sebastian B. Ionno, Esq., requests to reinstate the appeal of his 25 (12 hour) working day suspension, which was dismissed on the basis of his failure to appear at the May 18, 2021 settlement conference at the Office of Administrative Law.

ACTION: The Civil Service Commission directed that this request be granted.

B-22 DEBORA BLITHE – CSC DOCKET NO. 2021-1953

Debora Blithe, a Senior Probation Officer with the Judiciary, Burlington Vicinage, represented by Lynsey A. Stehling, Esq., petitions the Civil Service Commission for interim relief of her immediate suspension without pay, effective June 2, 2021.

ACTION: The Civil Service Commission directed that this petition be denied.

B-23 R.A. - CSC DOCKET NO. 2020-2350

R.A., represented by Ciro Spina, Esq., appeals her rejection as a Police Officer candidate by the City of Passaic and its request to remove her name from the eligible list for Police Officer (S9999U) on the basis of psychological unfitness to perform effectively the duties of the position.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-24 ALEXANDER GATHINGS- CSC DOCKET NO. 2020-2001

Alexander Gathings appeals his removal from the list for Fire Fighter, (M1853W) Morristown, due to his failure to appear for the scheduled Physical Performance Examination.

ACTION: The Civil Service Commission directed that this appeal be granted.

B-25 CHING-CHING TANG AND KATHRYN SAFRAN - CSC DOCKET NOS. 2021-925 and 2021-1704

Ching-Ching Tang, a former Director 2 Education with the Department of Education, appeals the denial of her request for Supplemental Compensation on Retirement (SCOR), pursuant to *N.J.A.C. 4A:6-3.1(b)*. The Higher Education Student Assistance Authority appeals the denial of Kathryn Safran's, a former Director Planning and Research Higher Education, request for SCOR, pursuant to *N.J.A.C. 4A:6-3.1(b)*.

ACTION: The Civil Service Commission directed that these appeals be granted.

B-26 C.H.- CSC DOCKET NO. 2021-1378

C.H., a Senior Correctional Police Officer with the Department of Corrections (Corrections), represented by Tina M. James, Esq., petitions the Civil Service Commission (Commission) for relief, pursuant to *N.J.S.A. 11A:2-24* and *N.J.A.C. 4A:2-5.1*, from alleged reprisal.

ACTION: The Civil Service Commission directed that this petition be denied.

B-27 INDERA PERSAUD - CSC DOCKET NO. 2021-1773

Indera Persaud appeals the determination of the Division of Agency Services that she did not meet the experience requirements for the promotional examination for Management Assistant (PM2136B), Jersey City School District.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-28 PARALEGAL SPECIALIST - CSC DOCKET NO. 2019-1174

In *In the Matter of Paralegal Specialist (M0781V)*, Jersey City Redevelopment Agency (CSC, decided June 12, 2019), the Civil Service Commission (Commission) held in abeyance Jersey City Redevelopment Agency's request for the waiver of the appointment requirement pending the determination of the Division of Agency Services (Agency Services) regarding the classification of Maria Aguilar-Ambrossi's position. Thereafter, Agency Services determined that Aguilar-Ambrossi was properly classified in her permanent title of Paralegal Technician 2, and the matter is now being presented to the Commission.

ACTION: The Civil Service Commission granted the appointment waiver.

B-29 T.A.F. - CSC DOCKET NO. 2021-926

T.A.F. appeals his rejection as a Fire Fighter candidate by the Township of Burlington Fire District 1 and its request to remove his name from the eligible list for Fire Fighter (M1891W) on the basis of psychological unfitness to perform effectively the duties of the position.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-30 PROGRAM SPECIALIST 1 (S0082V) - CSC DOCKET NO. 2021-1748

In *In the Matter of Program Specialist 1 (S0082V)*, Department of Health (CSC, decided February 6, 2019), the Civil Service Commission (Commission) granted the request of the Department of Health for an appointment waiver for the May 14, 2018 certification and ordered that no selection costs would be assessed at that time since there was a possibility that the list could be utilized prior to its expiration. However, the appointing authority did not utilize the subject eligible list and the matter of the assessment of costs is now before the Commission.

ACTION: The Civil Service Commission directed that selection costs be assessed in the amount of \$8,285.

B-31 MARCUS HALE - CSC DOCKET NO. 2021-1728

Marcus A. Hale, appeals the determination of the Division of Agency Services (Agency Services) that he did not meet the experience requirement for the open competitive examination for Housing Inspector (M0473B), City of Trenton.

ACTION: The Civil Service Commission directed that this appeal be granted.

B-32 DANNY APARICIO AND RICKY WILKES - CSC DOCKET NOS. 2022-91 and 2022-92

Stockton University requests retroactive regular appointments for Danny Aparicio and Ricky Wilkes.

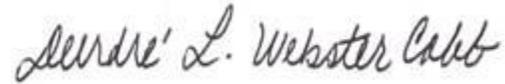
ACTION: The Civil Service Commission directed that these requests be granted.

PUBLIC PORTION

Ryan O'Hara, Public Safety Director for the City of Newark made comments regarding recent legislation (S-3220) allowing municipalities to hire Police Officers under certain conditions without first having taken the Law Enforcement Examination or going through the Civil Service Commission (Commission) appointment process. He indicated, among other things, his belief that the legislation would negatively impact urban police forces as compared to other police forces. He requested that the Commission delay its implementation of the legislation. In response, Deirdre Webster Cobb, Chairperson, stated that as the legislation has been passed and is now law, it must be implemented as indicated and the Commission has no authority or jurisdiction to do otherwise. She noted the Commission would only promulgate rules on how such appointments would be recorded. She also stated that while this agency has similar concerns regarding the legislation, municipalities are not required to implement the legislation as it is discretionary.

Shanteeyah Hall, Essex County Juvenile Detention Officer, requested that the Commission look at modifying the "Rule of Three" as she contended that promotional appointments in her jurisdiction are not being fairly implemented. The Chairperson requested that Ms. Hall submit her contact information via e-mail, so agency staff could provide a substantive response.

There being no further business before the Civil Service Commission, the meeting was adjourned to convene on Wednesday, August 4, 2021, at 10:00 a.m., at 3 Station Plaza, Trenton, New Jersey.

A handwritten signature in cursive script that reads "Deirdre L. Webster Cobb".

Deirdre L. Webster Cobb
Chairperson
Civil Service Commission